

exhibits). Regardless of whether Kitai teaches parallel connections, Kitai fails to teach concurrently sending packets over different network interfaces of a controller as claimed.

### Section 101

The Examiner asserts on page 3 that method claim 40 is not patentable subject matter under Section 101 and the Bilski case. The Supreme Court should speak soon on the machine or transformation test set forth in Bilski. Even under that test, however, claim 40 is patentable subject matter. The Examiner clearly errs by asserting that sending packets could be performed “mentally, verbally, or without a machine.” The undersigned challenges the Examiner to provide any credible documentary evidence whatsoever that computer network packets can be sent by purely mental efforts over controller interfaces without using a machine. In effect, the rejection asserts that a person can telepathically create packets on the internet or another packet-switched network. The assertion is absurd, and the rejection should be withdrawn before it embarrasses the Office.

### **Conclusion**

In view of the above, Applicants submit that each of pending claims is patentable, and request their prompt allowance. The fact that this Response is silent as to any particular statement of the Office does not indicate agreement with that statement. Previous arguments are not waived. Applicants also expressly reserve all arguments not made here.

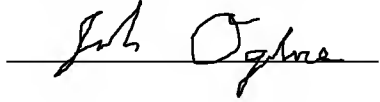
The undersigned is available for a telephone conference at the Examiner’s convenience.

Dated April 7, 2010.


\pm5-3003-2-9A

CERTIFICATE OF SUBMISSION

I hereby certify that this Response (with exhibits) is being submitted to the USPTO, through EFS-WEB, on April 7, 2010.



Respectfully submitted,



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## Adverb

- S: (adv) **concurrently**, at the same time (overlapping in duration) *"concurrently with the conference an exhibition of things associated with Rutherford was held"; "going to school and holding a job at the same time"*

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**Noun**

- **S: (n)** [analogue](#), [analog](#), **parallel** (something having the property of being analogous to something else)
- **S: (n)** [latitude](#), [line of latitude](#), [parallel of latitude](#), **parallel** (an imaginary line around the Earth parallel to the equator)
- **S: (n)** **parallel** ((mathematics) one of a set of parallel geometric figures (parallel lines or planes))  
*"parallels never meet"*

**Verb**

- **S: (v)** **parallel** (be parallel to) *"Their roles are paralleled by ours"*
- **S: (v)** **parallel**, [collimate](#) (make or place parallel to something) *"They paralleled the ditch to the highway"*
- **S: (v)** [twin](#), [duplicate](#), **parallel** (duplicate or match) *"The polished surface twinned his face and chest in reverse"*

**Adjective**

- **S: (adj)** **parallel** (being everywhere equidistant and not intersecting) *"parallel lines never converge"; "concentric circles are parallel"; "dancers in two parallel rows"*
- **S: (adj)** **parallel** (of or relating to the simultaneous performance of multiple operations) *"parallel processing"*

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